



The State of Utah

Department of  
Natural Resources

Division of  
Oil, Gas & Mining

ROBERT L. MORGAN  
*Executive Director*

LOWELL P. BRAXTON  
*Division Director*

OLENE S. WALKER  
*Governor*

GAYLE F. McKEACHNIE  
*Lieutenant Governor*

**Representatives Present During the Inspection:**

OGM	Gregg Galecki	Environmental Scientist III
Company	Patrick D. Collins	Resident Agent

## Inspection Report

Permit Number:	C0070012
Inspection Type:	COMPLETE
Inspection Date:	Tuesday, June 29, 2004
Start Date/Time:	6/29/2004 11:00:00 AM
End Date/Time:	6/29/2004 2:00:00 PM
Last Inspection:	Wednesday, May 26, 2004

Inspector: Gregg Galecki, Environmental Scientist III

Weather: Overcast, rain showers, -65 deg. F. No wind

InspectionID Report Number: 317

Accepted by: dhaddock  
7/28/2004

Permitee: **NEVADA ELECTRIC INVESTMENT CO**

Operator: **NEVADA ELECTRIC INVESTMENT CO**

Site: **WELLINGTON PREPARATION PLANT**

Address: **330 E 400 S STE 6, PO BOX 337 SPRINGVILLE UT 84663**

County: **CARBON**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

**Current Acreages**

1,573.50	<b>Total Permitted</b>
392.00	<b>Total Disturbed</b>
	<b>Phase I</b>
	<b>Phase II</b>
	<b>Phase III</b>

**Mineral Ownership**

- ☐ Federal  
☐ State  
☐ County  
☐ Fee  
☐ Other

**Types of Operations**

- ☐ Underground  
☐ Surface  
☐ Loadout  
☒ Processing  
☐ Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

Inspector's Signature

*Gregg A. Galecki*  
Gregg Galecki, Environmental Scientist III

Inspector ID Number: 48

Date

Thursday, July 01, 2004

**Note:** This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

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## Inspection Continuation Sheet

Page 2 of 4

### REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
  - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
  - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**1. Permits, Change, Transfer, Renewal, Sale**

No new permits, changes, transfers, renewals or sales have been submitted since the last inspection. The current DOGM permit term is 10 Dec 99 through 9 Dec 04. The current UPDES permit term is 1 May 03 - 30 Apr 08.

**2. Signs and Markers**

Signs were inspected and found to be legible and fulfill the regulatory requirements. Markers were spot-checked and found to be in-place.

**3. Topsoil**

The topsoil pile located on the east side of the property was evaluated; no signs of instability were noted.

**4.a Hydrologic Balance: Diversions**

Diversions were inspected and found to be functioning as designed. Minor maintenance and repairs will be conducted during the 3rd quarter.

**4.b Hydrologic Balance: Sediment Ponds and Impoundments**

Sediment Pond inspections were conducted on 9 Mar 04 for the first quarter 2004. Ponds include the Roadside, Auxillary, Dryer, Loadout, Pipeline, Upper Refuse, Lower Refuse and Clearwater Ponds. Inspections for the 2nd quarter 2004 were conducted, but not all the paperwork was available.

**4.c Hydrologic Balance: Other Sediment Control Measures**

Silt fencing and strawbales were spot-checked and found to be functioning as designed.

**4.d Hydrologic Balance: Water Monitoring**

The 1st quarter water monitoring data was collected on 9 Mar 04 and submitted electronically to the Division database. Minor anomalies were noted in the data that will be followed up by the NEICO water monitoring contractor.

**4.e Hydrologic Balance: Effluent Limitations**

No discharges were noted in the 1st and 2nd quarters of 2004. Data for the 1st quarter was submitted in hard copy to DWQ and electronically to the Division database.

**7. Coal Mine Waste, Refuse Piles, Impoundments**

Refuse Piles were inspected on 9 Mar 04 for the 1st quarter 2004. For added dust suppression, the operator smoothed out rough edges and significantly reduced the slopes on the coal fines piles located on the east side of the property. The slopes have been reduced to the point a water truck can now access the piles to apply a surfactant if necessary. No signs of instability were noted. Photos of the slope reduction are available in the M: drive under the April and May inspection dates.

**8. Noncoal Waste**

The vast majority of equipment and buildings have been removed from the east side of the property. Days prior to the DOGM inspection, a contractor removed pumps from the pumphouse on the southeast end of the property. Without the company's approval the contractor also removed the pumphouse structure, exposing access to the lower levels of the pumphouse. Both NEICO and DOGM personnel identified this as a safety concern and immediately took steps to secure the site from a safety perspective. Additional measures to fully secure the site will take place in the coming weeks. Photos are available in the Division M: drive under the inspection date.

**11. Contemporaneous Reclamation**

With the exception of mining equipment being removed from the site, no earthmoving reclamation activities have been conducted.

**16.b Roads: Drainage Controls**

Road drainage controls were inspected and found to be functioning as designed.

**19. AVS Check**

An AVS check was conducted during the 2nd Quarter 2004. No pending or outstanding violations were noted during the search.

**20. Air Quality Permit**

An air quality permit was initially issued 10 May 96. A copy of the permit is on site and available for review.

**21. Bonding and Insurance**

A copy of the current bond insurance was on site; the bonded value is \$4.904 million. A copy of the liability insurance was on site; term is 9 Feb 04 - 9 Feb 05.